

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

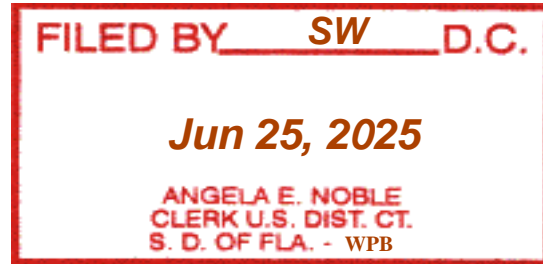
Case No. 25-8345-WM

UNITED STATES OF AMERICA

v.

JOSE BENITEZ,  
a/k/a Jose Abel Ruiz-Benitez,

Defendant. /



CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? ☐ Yes ☒ No
2. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? ☐ Yes ☒ No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? ☐ Yes ☒ No
4. 4. Did this matter involve the participation of or consultation with Magistrate Judge Ellen F. D'Angelo during her tenure at the U.S. Attorney's Office, which concluded on October 7, 2024? ☐ Yes ☒ No

Respectfully submitted,

HAYDEN P. O'BYRNE  
UNITED STATES ATTORNEY

BY:   
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UNITED STATES DISTRICT COURT

for the  
Southern District of Florida

FILED BY SW D.C.

Jun 25, 2025

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - WPB

United States of America  
v.

JOSE BENITEZ,  
a/k/a Jose Abel Ruiz-Benitez,

Case No. 25-8345-WM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 19, 2025 in the county of Palm Beach in the  
Southern District of Florida, the defendant(s) violated:

*Code Section*  
8 U.S.C. § 1326(a) and (b)(1)

*Offense Description*  
Illegal re-entry after removal.

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

Andy Korzen, ICE Deportation Officer

Printed name and title

Sworn to and attested to me by applicant by  
telephone (Facetime) per the requirements of  
Fed. R. Crim. P.4 (d) and 4.1.

Date: June 25, 2025



Judge's signature

City and state: West Palm Beach, FL

William Matthewman, U.S. Magistrate

Printed name and title

Judge

**AFFIDAVIT  
OF  
ANDY KORZEN  
UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT**

I, Andy Korzen, being duly sworn, depose and state as follows:

1. I am a Deportation Officer with the Immigration and Customs Enforcement (ICE) and have been so employed for over twenty-one years. I am currently assigned to the ICE Enforcement and Removal Operations, West Palm Beach, Florida. My duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Jose BENITEZ, also known as Jose Abel RUIZ-BENITEZ committed the offense of illegal re-entry after removal, in violation of Title 8, United States Code, Section 1326(a) and (b)(1).

3. On or about June 19, 2025, Jose BENITEZ was arrested in Palm Beach County, Florida on charges of resist without violence, and two separate appearance warrants on charges related to domestic battery and domestic assault. He was booked and detained at the Palm Beach County Jail.

4. A review of the immigration records shows that Jose BENITEZ is a native and citizen of El Salvador. Records further show that on or about July 14, 2014, Jose BENITEZ was ordered removed from the United States. The Order of Removal was

executed on or about July 31, 2014, whereby Jose BENITEZ was removed from the United States and returned to El Salvador.

5. Thereafter, Jose BENITEZ re-entered into the United States illegally and was removed and returned to El Salvador on three additional separate occasion, on or about following dates: March 27, 2015, September 22, 2015, and December 11, 2020.

6. Records further show that on or about July 14, 2020, in the United States District Court, Southern District of Florida, Jose BENITEZ was convicted of the felony offense of Illegal Re-entry after Deportation, case number 20-80050-CR-SMITH.

7. Jose BENITEZ's fingerprints taken in connection with his June 19, 2025, arrest in Palm Beach County were scanned into the IAFIS system. Results confirmed that scanned fingerprints belong to the individual who was previously removed from the United States, that is Jose BENITEZ.

8. A record check was performed in the Computer Linked Application Informational Management System to determine if Jose BENITEZ filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record was found to exist indicating that Jose BENITEZ obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

9. Based on the foregoing, I submit that probable cause exists to believe that, on or about June 19, 2025, Jose BENITEZ, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary of the

Department of Homeland Security for re-admission into the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(1).



Andy Korzen  
Deportation Officer  
Immigration and Customs Enforcement

Sworn and Attested to me by Applicant by Telephone (Facetime) pursuant to Fed. R. Crim. P. 4(d) and 4.1 this 25th day of June 2025.



WILLIAM MATTHEWMAN  
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**PENALTY SHEET**

**Defendant's Name:** JOSE BENITEZ, a/k/a Jose Abel Ruiz-Benitez

**Case No:** \_\_\_\_\_

Count #1

Illegal Re-entry after Removal

Title 8, United States Code, Section 1326(a) and (b)(1)

\* **Max. Term of Imprisonment:** 10 Years

\* **Mandatory Min. Term of Imprisonment (if applicable):**

\* **Max. Supervised Release:** 3 Year

\* **Max. Fine:** \$250,000

\* **Special Assessment:** \$100

**\*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**